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<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV	
Application No. 10/784,628-Conf. #8401	Filing Date February 23, 2004	Examiner J. Cumberledge	Art Unit 3733		
Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok					
Invention: INSTRUMENTATION FOR INSERTING AND IMPACTING AN ARTIFICIAL INTERVERTEBRAL DISC IN AN INTERVERTEBRAL SPACE					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 20 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					
<input checked="" type="checkbox"/> Large Entity <span style="float: right;"><input type="checkbox"/> Small Entity</span>					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Michael J. Doherty Attorney/Agent Reg. No.: 40,592				Dated: <u>June 22, 2007</u>	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: June 22, 2007		Signature:  (Michael J. Doherty)			



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 22, 2007

Signature:

*Michael J. Doherty*  
(Michael J. Doherty)

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/784,628

Filed: February 23, 2004

For: INSTRUMENTATION FOR INSERTING  
AND IMPACTING AN ARTIFICIAL  
INTERVERTEBRAL DISC IN AN  
INTERVERTEBRAL SPACE

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: Group Art Unit: 3733  
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: Examiner: Not Yet  
Assigned  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed December 26, 2006, Applicants submit the following amendments and remarks.